

SENATE BILL 4086

By Tate

AN ACT to amend Tennessee Code Annotated, Title 49,
Chapter 13, Part 1, relative to personnel policies of
public charter schools.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 13, Part 1, is amended by
adding the following language as a new, appropriately designated section:

Section ____.

(a) If the professional employees of a charter school have organized under the
“Education Professional Negotiations Act”, compiled in chapter 5, part 6, as provided in §
49-13-118, the personnel policies concerning the conditions of employment negotiated
pursuant to § 49-5-611 shall apply to the professional employees, provided, however,
the provisions of subsection (b) shall apply to all other employees of such charter school.

(b) If the professional employees of a charter school have not organized under
the “Education Professional Negotiations Act”, and any employee of the charter school is
suspended or discharged from employment and the employee is not given at least a
two-week notice during which time salary and benefits continue to be paid to the
employee, the employee has a right, after appealing the suspension or discharge from
employment in violation of this subsection, to appeal such suspension or discharge to
the chartering authority of the public charter school. The action of the chartering
authority with regard to such suspension or discharge shall be final. Notwithstanding
such limitation, nothing in this subsection shall be construed to abrogate or prohibit an
employee from commencing any other cause of action or remedy under state or federal
law an employee might have for wrongful suspension or discharge from employment.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.